

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILLS 315 & 549

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO REGIONAL TRANSPORTATION; AUTHORIZING REGIONAL
TRANSIT DISTRICTS TO EMPLOY LAW ENFORCEMENT OFFICERS OR TO
CONTRACT WITH OTHER AGENCIES FOR LAW ENFORCEMENT; PROVIDING
POWERS AND DUTIES OF COMMUTER RAIL SERVICE LAW ENFORCEMENT
OFFICERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 73-25-1 NMSA 1978 (being Laws 2003,
Chapter 65, Section 1) is amended to read:

"73-25-1. SHORT TITLE.--~~[This act]~~ Chapter 73, Article 25
NMSA 1978 may be cited as the "Regional Transit District Act"."

Section 2. A new section of the Regional Transit District
Act is enacted to read:

"[NEW MATERIAL] AUTHORIZATION TO EMPLOY COMMUTER RAIL
SERVICE LAW ENFORCEMENT OFFICERS--POWERS AND DUTIES OF

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1 OFFICERS.--

2 A. A district that operates a commuter rail service
3 may employ commuter rail service law enforcement officers for
4 the district and assign duties to the officers.

5 B. At all times while on duty, commuter rail
6 service law enforcement officers shall carry commissions of
7 office issued by the district. Commuter rail service law
8 enforcement officers shall have the powers of peace officers on
9 all property, tracks, rights of way, easements, vehicles,
10 buses, vans, railcars, locomotives and facilities owned,
11 leased, licensed, maintained or operated by the district.
12 Within this territory, a commuter rail service law enforcement
13 officer may enforce all applicable laws, ordinances and
14 regulations, but no arrest for violation of any law, ordinance
15 or regulation is valid unless, at the time of arrest, the
16 commuter rail service law enforcement officer is wearing:

17 (1) a distinctive badge bearing the name of
18 the district issued by the district; or

19 (2) a distinctive uniform prescribed and
20 issued by the district.

21 C. A person employed by the district as a commuter
22 rail service law enforcement officer shall fulfill the
23 requirements for certification in Subsection A of Section
24 29-7-6 NMSA 1978 within one year of the date of first
25 employment.

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1 D. A district may contract with other law
2 enforcement agencies to provide law enforcement services for
3 the district."

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